

EXHIBIT "A"

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

**NATIONWIDE LIFE INSURANCE
COMPANY OF AMERICA,**

Plaintiff,

-against-

**ROBERT RAWISZER,
DAVID RAWISZER,**

Defendants.

Civil Action No. 08 CV 0587 (DLC) (DCF)

CONSENT ORDER

This matter having come before the court by the consent of all parties,

IT IS on this ____ day of July, 2008 ordered as follows:

1. Through and including December 31, 2011, the defendants shall not, directly or indirectly, and whether alone or in active concert with others, advise, induce, or solicit any of plaintiff's policyholders to lapse, cancel, or replace any policy, or borrow values from any policy or contract with plaintiff to pay any premium on a policy of another company.

2. In the event that any of the policyholders of the plaintiff who own policies for which the defendants are the agent of record contact either of the defendants subsequent to the date of this Order, and request that either of the defendants replace one or more of plaintiffs policies for which either of said defendants are the agent of record, defendants shall obtain an affidavit from any such policyholders in the form attached hereto as exhibit 1.

A copy of this affidavit shall be provided to the plaintiff's counsel within five business days of the day it is executed by the policyholder.

Hon. Denise L. Cote, U.S.D.J

We hereby consent to the form and entry of this Order:

Coss & Momjian, LLP
Attorneys for Plaintiff

By: 
Christopher C. Coss, Esq.

Tressler Soderstrom Maloney & Priess, LLP
Attorneys for Defendants

By: 
Barry T. Bassis, Esq.

Exhibit 1

Affidavit

(Name of policyholder) being duly sworn, upon his/her oath deposes and says:

- 1. I am the owner of Nationwide Life policy(ies), (Policy Numbers), which was/were sold to me by (Name of Agent) in approximately (month, year).**
- 2. On (Date) I called/contacted (Name of Agent). He did not call me first.**
- 3. During my conversation/discussion with (Name of Agent) on (Date), I requested that (Name of agent) replace my Nationwide Life policy(ies)/contracts (policy/contract numbers).**
- 4. (Name of agent) in no way induced or solicited the replacement of my Nationwide policy(ies)/contracts.**

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